

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

Case No. 1:03-md-01570-GBD-SN

*This document relates to:*

*The Underwriting Members of Lloyd's Syndicate 2, et al. v. Al Rajhi Bank, et al., No. 16-cv-7853; Aguilar, et al. v. Kingdom of Saudi Arabia, et al., No. 16-cv-09663; Addesso, et al. v. Kingdom of Saudi Arabia, et al., No. 16-cv-09937; Hodes, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-00117; Aiken, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-00450; Charter Oak Fire Insurance Co., et al. v. Al Rajhi Bank, et al., No. 17-cv-02651; Abarca, et al., v. Kingdom of Saudi Arabia, et al., No. 17-cv-03887; Arrowood Indemnity Co., et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-03908; Abedhajajreh v. Kingdom of Saudi Arabia, et al., No. 17-cv-06123; Fraser, et al. v. Al Qaeda Islamic Army, et al., No. 17-cv-07317; Muenchener Rueckversicherungs-Gesellschaft Aktiengesellschaft in Muenchen, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-07914; and Abbate, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-08617.*

**[SECOND] DECLARATION OF NICOLE ERB IN SUPPORT OF  
AL RAJHI BANK'S REPLY MEMORANDUM IN SUPPORT OF ITS  
RENEWED MOTION TO DISMISS**

I, Nicole Erb, declare as follows:

1. I am an active member in good standing of the bar of New York and a Partner in the law firm of White & Case LLP. I am counsel for Defendant Al Rajhi Bank in the above-captioned matter. I have personal knowledge of the facts set forth herein.

2 I submit this declaration in connection with Al Rajhi Bank's Reply Memorandum in Support of Its Renewed Motion to Dismiss.

3. Attached as Exhibit A is a true and correct copy of Al Rajhi Bank's Reply to Plaintiffs' Counterstatement to Al Rajhi Bank's Averment of Jurisdictional Facts and Evidence In Support Of Its Renewed Motion to Dismiss (July 22, 2024), ECF No. 10153-1 (Pls. Ex. A).

4. Attached as Exhibit B is a true and correct copy of Al Rajhi Bank's Sur-Reply to Plaintiffs' Averment of Jurisdictional Facts and Evidence And/Or Statement of Facts Pursuant to Rule 56.1 (July 22, 2024), ECF No. 10153-2 (Pls. Ex. B).

5. Attached as Exhibit C is a true and correct copy of Al Rajhi Bank's Response to Plaintiffs' Objections to Evidence Cited in Al Rajhi Bank's Averment of Jurisdictional Facts And/Or Statement of Facts Pursuant to Rule 56.1 (July 22, 2024), ECF No. 10153-3 (Pls. Ex. C).

6. Pursuant to the Court's Orders at ECF No. 9026 and ECF No. 9596, attached as Exhibit D is a true and correct copy of Al Rajhi Bank's Consolidated Objections to Evidence Cited by Plaintiffs in: (a) Plaintiffs' Corrected Averment of Jurisdictional Facts and Evidence And/Or Statement of Facts Pursuant to Rule 56.1 (May 7, 2024), ECF No. 9764, (b) Plaintiffs' Exhibit A, and (c) Plaintiffs' Exhibit B.

7. Al Rajhi Bank is prepared to provide additional briefing on its Objections to Exhibits Filed by Plaintiffs, if requested by the Court.

8. Attached as Exhibit E is a Table of Contents to Al Rajhi Bank's Response to Plaintiffs' Averment of Jurisdictional Facts and Evidence And/Or Statement of Facts Pursuant to Rule 56.1 (June 6, 2024), ECF No. 9872. This document tracks the document that Al Rajhi Bank filed on June 6, 2024, without adding substantively to that document. It is provided here for the Court's convenience.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 30, 2024.

/s/ Nicole Erb

Nicole Erb